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12/05/01

10/50/21  
10/007489  
10979 U.S. PRO

12/5/2001

In the United States Patent and Trademark Office

Assistant Commissioner for Patents  
Washington, District of Columbia 20231

Sir:

Please file the following enclosed patent application papers for "Microbial Production of Nuclease Resistant DNA, RNA, and Oligo Mixtures." The sole inventor is myself Elizabeth Gay Frayne. The specification is 19 pages with four drawings and 13 claims (three independent and no multiple dependent). Included is an application data sheet, sequence listing both paper and disk copy, declaration, information disclosure statement, nonpublication request, patent application fee determination record, and a check for \$370. A related provisional application was mailed Oct. 23, 2001 and has not been received at the Patent Office owing to unusual mail delay. Two other related provisional applications should be noted 60/100,231 filed 9/14/98 and 60/152,371 filed 09/07/99. A continuation of 60/152,371 was also filed but was never reviewed before expiration. The assignee should be listed as Frayne Consultants of Diamond Bar, CA.

Please under MPEP 707.07(j) the pro se applicant requests that if the Examiner fines patentable subject matter disclosed in this application, but feels that Applicant's present claims are not entirely suitable, the Examiner draft one or more allowable claims for the applicant.

Respectfully submitted,

*Elizabeth G. Frayne*

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**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

Elizabeth Gay  
Frayne

Title

Microbial Production of  
Nuclease Resistant DNA, RNA

Atty Docket Number

01.90

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

12 / 6 / 01

Date

Elizabeth G. Frayne

Signature

Elizabeth G. Frayne

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.